

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

GLENN H. GORTON,

Plaintiff,

vs.

FLOYD FRY, et al.,

Defendants.

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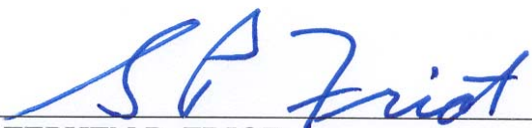
Case No. CIV-09-086-F

ORDER

In his Report and Recommendation of March 4, 2009 (doc. no. 7), Magistrate Judge Doyle W. Argo recommended that this action be dismissed without prejudice for failure to timely pay the initial partial filing fee, as previously ordered. The Report advised plaintiff of his right to file an objection to the Report by March 24, 2009, and further advised that failure to object to the Report would waive appellate review of the rulings contained in the Report. No objection has been filed, no request for an extension of time within which to object has been filed, no good cause has been shown for failure to pay the partial filing fee, and the initial partial filing fee remains unpaid.

Accordingly, after review, and with no objection having been made, the Report and Recommendation of Magistrate Judge Argo is **ACCEPTED, ADOPTED** and **AFFIRMED** in its entirety. This action is **DISMISSED** without prejudice for failure to pay the initial partial filing fee or show good cause for such failure.

Dated this 9th day of April, 2009.



STEPHEN P. FRIOT
UNITED STATES DISTRICT JUDGE